

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CHASE TYLER WHITSON,

Plaintiff,

vs.

MICHAEL J. ASTRUE, Commissioner of  
Social Security;

Defendant.

**4:12CV3173**

**MEMORANDUM AND ORDER**

Plaintiff has filed an application to proceed with this litigation without prepaying fees or costs. (Filing No. 2). The information contained in plaintiff's affidavit demonstrates that plaintiff is eligible to proceed *in forma pauperis*.

**IT IS ORDERED:**

1. Plaintiff's application, (filing no. 2) is granted, and the complaint shall be filed without payment of fees.

2. The Clerk of Court shall send a copy of this Memorandum and Order together with three summons forms and three USM-285 forms to Plaintiff's attorney of record for service of process on the United States.

3. If the plaintiff is not requesting service by United States Marshal, Plaintiff's counsel shall, as soon as possible, complete the summons forms and return them to the Clerk of the court to be issued. The issued summons will then be returned to plaintiff's counsel for service on the defendant(s).

4. If the plaintiff is requesting service by the United States Marshal, Plaintiff's counsel shall, as soon as possible, complete the USM-285 forms and the summons forms and return them to the Clerk of the court. The Clerk of the court will sign the summons form, to be forwarded with a copy of Plaintiff's Complaint to the U.S. Marshal for service of process. The Clerk of the court will copy the Complaint; Plaintiff's counsel need not to do so. The Marshal shall serve the summons and the Complaint without payment of costs or fees.

5. This order is entered without prejudice to the court later entering an order taxing costs in this case. No one, including any plaintiff, is relieved by this order from the obligation to pay or to reimburse taxable costs after this action is over.

August 15, 2012.

**BY THE COURT:**

s/ Cheryl R. Zwart  
United States Magistrate Judge